

readings of required accuracy and one failed to comply with the test for retreating index.

LIBELED: On or about 4-13-56, W. Dist. Wash.

CHARGE: 501 (c)—the quality of the article, when shipped, fell below that which it purported or was represented to possess; and Section 502 (a)—the following statements appearing in the accompanying labeling of the article were false and misleading since they were contrary to fact, namely, “* * * We, the undersigned manufacturers, hereby certify that this registering clinical thermometer has been tested and found to meet all the requirements and tests specified in Commercial Standard CS1-52, as developed by the trade under the procedure of the Commodity Standards Division, and issued by the United States Department of Commerce * * *.”

DISPOSITION: 6-25-56. Default—destruction.

DRUGS ACTIONABLE BECAUSE OF FALSE AND MISLEADING CLAIMS

DRUGS FOR HUMAN USE*

5187. Alpha tablets and Mino tablets. (F. D. C. No. 38874. S. Nos. 38-824/5 M.)

QUANTITY: 475 100-tablet btls., 169 300-tablet btls., and 9 600-tablet btls. of *Alpha tablets*, and 147 100-tablet btls. and 18 250-tablet btls. of *Mino tablets*, at Homestead, Fla.

SHIPPED: 10-28-55, from Detroit, Mich., by Wolverine Laboratories, Inc.

LABEL IN PART: (Btl.) “Pain Relieving Alpha Tablets * * * Each Tablet Contains: Inert Ingredients: calcium gluconate and calcium lactate. Active Ingredient: aspirin. Base: Powdered extract of Alfalfa” and “Mino Tablets * * * Each Tablet Contains Thiamine HCl .50 mg., Riboflavin 1.00 mg., Niacin .30 mg., Pyridoxine HCl .01 mg., Calcium Pantothenate .20 mg., Vitamin D 1000 USP Units, Tryptophane 55 mg., Cystine .70 mg., Histidine 1.50 mg., Methionine 2.00 mg., Isoleucine 2.50 mg., Arginine 3.00 mg., Phenylalanine 3.00 mg., Tyrosine 3.00 mg., Threonine 3.00 mg., Valine 3.50 mg., Lysine 4.00 mg., Leucine 9.00 mg.”

ACCOMPANYING LABELING: Display discs entitled “Alpha Tablets For Arthritis” and “Sinus! Headaches! Pain! Drainage! * * * Mino Tablets”; display cards entitled “Alpha Tablets For Rheumatism On Sale Here!” and “Mino Tablets For Sinus Infections”; display sheets entitled “Alpha Tablets For Arthritis”; streamers entitled “Alpha Tablets For Rheumatism On Sale Here,” “Alpha Tablets For Arthritis,” “Sinus! Try New Mino Tablets,” and “Mino Tablets For Sinus On Sale Here”; insert sheets entitled “Alpha Tablets are Profit-Makers—For You! Because They Move”; newspaper mats entitled “A New Tablet For Arthritis containing Alfalfa * * * Alpha Tablets,” “Alfalfa For Arthritis,” and “Try New Mino Tablets for Sinus Sufferers”; leaflets entitled “Alpha Tablets For the Relief of Arthritis and Rheumatic Pain” and “Advertising Program Alpha Tablets For Arthritis Mino Tablets For Sinus.”

LIBELED: 12-27-55, S. Dist. Fla.

CHARGE: 502 (a)—the labeling of the articles, when shipped, contained false and misleading statements that the *Alpha tablets* were an adequate and effective treatment for arthritis, rheumatism, neuritis, and neuralgia, and that the *Mino tablets* were an adequate and effective treatment for sinus infections and headaches and for preventing colds.

*See also Nos. 5163, 5166-5169, 5171, 5172, 5174, 5175, 5181-5186.

DISPOSITION: 5-7-56. Default—destruction.

5188. Beta-Sal tablets. (F. D. C. No. 39440. S. Nos. 52-226/7 M.)

QUANTITY: 2 29,000-tablet drums, 1 35,000-tablet drum, 1 16,000-tablet drum, and 425 50-tablet btl. at Bayonne, N. J., in possession of Todd-Dickson Pharmaceuticals, Inc.

SHIPPED: Between 3-16-55 and 6-5-56, from Brooklyn, Floral Park, and Rensselaer, N. Y.

LABEL IN PART: (Btl.) "50 Tablets Beta-Sal * * * Each Beta-Sal tablet contains Salicylamide 3.5 gr., Acetyl Salicylic Acid 5 gr., Magnesium Carbonate 1 gr., Ascorbic Acid 10 mg., Vitamin D 500 U. S. P. Units * * * Sole Owner and Distributor Todd-Dickson Pharmaceuticals New York City."

ACCOMPANYING LABELING: 5,800 Beta-Sal bottle labels, 1,098 Beta-Sal display cartons, and 860 display placards designated "Arthritis and Rheumatism."

RESULTS OF INVESTIGATION: The article was shipped in interstate commerce in bulk drums; and, upon receipt by the consignee, it was repackaged into bottles labeled as described above.

LIBELED: On or about 9-4-56, Dist. N. J.

CHARGE: 502 (a)—the labeling of the article, while held for sale, contained false and misleading representations that the article was a new wonder drug; that the article would cause all sufferers of arthritis and rheumatism to feel good again; that it was an adequate and effective treatment for all types of arthritis, rheumatism, sciatica, bursitis, and lumbago; that it would give complete relief from all pain to all persons suffering from arthritis, rheumatism, sciatica, bursitis, and lumbago, even to those who had failed to find relief by any other means; that it would relieve all torturous pain in muscles and joints, regardless of cause; and that it would give complete relief from pain from morning to night to all persons suffering from any form of arthritis, rheumatism, sciatica, bursitis, and lumbago; and 502 (e) (2)—the label of the article, when shipped and while held for sale, failed to bear the common or usual name of each active ingredient contained in the article since the label of the 35,000-tablet drum and the 16,000-tablet drum bore no statement of the active ingredients and since the label of the 29,000-tablet drums and the 50-tablet bottles declared the active ingredient, aspirin, by the name of acetylsalicylic acid and not by its common and usual name.

DISPOSITION: 10-9-56. Default—destruction.

5189. Methylene blue compound. (F. D. C. No. 39684. S. No. 27-050 M.)

QUANTITY: 1 24,900-pill drum; 1 2,900-pill drum; and 40 ctns., 1 50-pill vial each, at New Orleans, La., in possession of Testo Products.

SHIPPED: Between 1947 and 1952, from Detroit, Mich.

LABEL IN PART: (Drum) "25,000 S. C. P. No. 1055 Methylene Blue Compound S. C. Pills (Blue) Methylene Blue—1 grain"; (ctn.) "Testo Pills * * * made from the purest ingredients * * * guaranteed not to contain any opiates or other habit-forming drugs."

ACCOMPANYING LABELING: Circular stating "Testo * * * Diuretic Pills A Stimulant Diuretic to the Kidneys * * * Methylene Blue, Cubeb, 1 gr. ea. Ext. Kava, Copaiba Mass, 1-4 gr. ea.; Oil Santal, 1-8 gr. Oil Nutmeg, Q. S."